

FEDERAL COMMUNICATIONS COMMISSION

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MEDIA BUREAU
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December 29, 2009

James L. Oyster, Esq.
108 Oyster Lane
Castleton, Virginia 22716

Re: Foxfur Communications, LLC
WOLF-FM, DeRuyter, New York
Facility Identification Number: 22134
Special Temporary Authority

Dear Counsel:

This is in reference to the request filed December 24, 2009, on behalf of Foxfur Communications, LLC ("FFC"). FFC requests special temporary authority ("STA") to commence operation of Station WOLF-FM with dual-antenna digital IBOC facilities pursuant to the Public Notice of March 17, 2004.¹ FFC provides technical data for the proposed operation.

Our review indicates that STA is not necessary. In the *Second Report and Order, First Order on Reconsideration and Second Further Notice of Proposed Rule Making* in MM Docket No. 99-325, released May 31, 2007, the Commission modified the requirements for dual-antenna IBOC operation from STA to notification. We find that the technical information provided in FFC's STA request meets the requirements for a digital notification, and it is accepted as such.² Because the digital notification is non-feeable, FFC may request a refund of the STA filing fee from the Office of the Managing Director.

Accordingly, the request for STA IS DISMISSED.

Sincerely,



Charles N. Miller, Engineer
Audio Division
Media Bureau

cc: Foxfur Communications, LLC

¹ WOLF-FM is licensed for operation on Channel 286B (105.1 MHz) with effective radiated power of 33 kilowatts (H&V) and antenna height above average terrain of 185 meters.

² The Digital Notification has been entered into CDBS; file No. BDNH-20091224ACC.